

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	05 0416	Total Pages	22
First Named Inventor or Application Identifier			
Barry C. Muffoletto et al.			
Express Mail Label No.	EK356002734US		

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages / 12 / ]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets / 5 / ]
- ☒ Oath or Declaration [Total Pages / 5 / ]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: fee transmittal form, check for \$690.00 for filing fee

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of the prior application No: 09/174,132**18. CORRESPONDENCE ADDRESS**

NAME	Martin G. Linihan Esq., Hodgson, Russ, Andrews, Woods & Goodyear, LLP				
ADDRESS	One M&T Plaza, Suite 2000				
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349

"Express Mail" Mailing Label Number EK356002734US

Date of Deposit July 28, 2000

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Martin G. Linihan  
Name

Signature

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision. Small Entity payments MUST be supported by a small entity statement, otherwise large entity fees must be paid. 37 CFR §§ 1.27 & 1.28

TOTAL AMOUNT OF PAYMENT (\$690.00)

Application Number

Filing Date

July 28, 2000

First Named Inventor

Barry C. Muffoletto et al.

Examiner Name

Group/Art Unit

Attorney Docket Number

04645,0416

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

## 3. ADDITIONAL FEES

Deposit Account Number 08-2442

Large Fee Code

Entity Fee (\$)

Small Fee Code

Entity Fee (\$)

Fee Description

Fee Paid

Deposit Account Name:  
Hodgson, Russ, Andrews, Woods & Goodyear, LLP

105

130

205

65

Surcharge - late filing fee or oath

\$

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

127

50

227

25

Surcharge - late provisional filing fee or cover sheet

\$

2. ☒ Payment Enclosed:☒ Check☐ Money Order☐ Other

139

130

139

130

Non-English specification

\$

## FEE CALCULATION

147

2,520

147

2,520

For filing a request for reexamination

\$

## 1. FILING FEE

Large Entity Small Entity

112

920\*

112

920\*

Requesting Publication of SIR prior to Examiner Action

\$

Fee Code (\$)

113

1,840\*

113

1,840\*

Requesting Publication of SIR after Examiner Action

\$

101 690 201 345 Utility filing fee \$690

115

110

215

55

Extension for reply within first month

\$

106 340 206 155 Design filing fee \$

116

380

216

190

Extension for reply within second month

\$

107 380 207 240 Plant filing fee \$

117

870

217

435

Extension for reply within third month

\$

108 690 208 345 Reissue filing fee \$

118

1,360

218

680

Extension for reply within fourth month

\$

114 150 214 75 Provisional filing fee \$

128

1,850

228

925

Extension for reply within fifth month

\$

SUBTOTAL (1) \$690

119

300

219

150

Notice of Appeal

\$

## 2. EXTRA CLAIM FEES

Extra Fee from Claims below

120

300

220

150

Filing a brief in support of an appeal

\$

Total Claims / / -20\*\* = / / x / / = \$

121

260

221

130

Request for oral hearing

\$

Independent Claims / / - 3\*\* = / / x / / = \$

138

1,510

138

1,510

Petition to institute a public use proceeding

\$

Multiple dependent / / x / / = \$

140

110

240

55

Petition to revive - unavoidable

\$

Large Entity Small Entity

141

1,210

241

605

Petition to revive - unintentional

\$

Fee Code (\$)

142

1,210

242

605

10 advance copies  
Utility issue fee (or reissue)

\$

103 18 203 9 Claims in excess of 20

143

430

243

215

Design issue fee

\$

102 78 202 39 Independent claims in excess of 3

144

580

244

290

Plant issue fee

\$

104 260 204 130 Multiple dependent claim if not paid

122

130

122

130

Petitions to the Commissioner

\$

109 78 209 39 \*\*Reissue independent claims over original patent

123

50

123

50

Petitions related to provisional applications

\$

110 18 210 9 \*\*Reissue claims in excess of 20 and over original patent

126

240

126

240

Submission of Information Disclosure Statement

\$

SUBTOTAL (2) \$0

581

40

581

40

Recording each patent assignment per property (times number of properties)

\$

SIGNATURE:



146

690

246

345

Filing a submission after final rejection (37 CFR 1.129(a))

\$

Martin G. Linihan

Reg. No. 24,926

149

690

249

345

For each additional invention to be examined (37 CFR 1.129(b))

\$

DATE: July 28, 2000

Telephone: (716) 848-1367

\*Reduced by basic filing fee paid

SUBTOTAL (3)

\$0

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Date of Deposit July 28, 2000

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Martin G. Linihan  
Name

  
Signature

Jc784 U.S. PTO

09/628174

07/28/00